

****NOT FOR PRINTED PUBLICATION****

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DALE NELSON, JOSETTE NELSON and §
KATHRYN VITALE, §
§
Plaintiffs, §

V. §

CASE NO. 4:12cv723
Judge Clark/Judge Mazzant

LONG BEACH MORTGAGE §
COMPANY, JPMORGAN CHASE §
BANK NATIONAL ASSOCIATION §
SUCCESSOR BY MERGER TO §
CHASE HOME FINANCE, LLC, §
DEUTSCHE BANK NATIONAL TRUST §
COMPANY AS TRUSTEE FOR §
LONG BEACH MORTGAGE LOAN §
TRUST 2006-7, §
§
Defendants. §

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On April 11, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that defendants' Motion to Dismiss Plaintiffs' Original Complaint [Doc. #6] be granted and plaintiffs' case dismissed with prejudice.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions

of the court.

It is, therefore, **ORDERED** that defendants' Motion to Dismiss Plaintiffs' Original Complaint [Doc. #6] is granted, and plaintiffs' case is dismissed with prejudice.

All relief not previously granted is hereby **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

So **ORDERED** and **SIGNED** on May 25, 2013.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge